

REMARKS

Claims 1, 2, 5-11, and 14-18 remain in this application. Claims 3, 4, 12, 13, 21, and 22 have been cancelled herein. Claims 19 and 20 were previously cancelled. Claims 1, 2, 5, 10, 11, 14. Reconsideration and review of the application is respectfully requested.

Before addressing the merits of the grounds of rejection, Applicants provide the following brief description of the invention. The claimed invention generally relates to an apparatus for scanning radio frequency identification (RFID) data from one or more RFID tags or transponders. More specifically, the invention provides a hands- or fingers-free RFID reader that enables a user to read or identify items having RFID tags without using his/her hands or fingers to operate the reader during a reading operation. In one embodiment, the reader comprises a housing containing at least a portion of an RFID scanner. The housing is typically affixed to a region of the operator's body (e.g., hand or wrist regions) using a strap or other like attachment. The RFID scanner is preferably adapted to read RFID tags automatically as they come into proximity with the scanner, without physical intervention by the operation. In a nutshell, the invention provides a hands-free or fingers-free RFID reader, thereby leaving the user's hands free to perform other tasks.

The Examiner rejected Claims 1-3, 5-7, 10-12, 14-16, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by Tuttle (US 6,097,301). The Examiner rejected Claims 4 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Tuttle in view of Swartz et al. (US 6,015,090).

With respect to Claims 1, 10, 21, and 22, the Examiner asserts that Tuttle discloses an apparatus for scanning RFID data from at least one RFID tag (16), comprising:

- a housing (50) containing at least a portion of an RFID scanner;
- means (22) for affixing the housing to a portion of an operator's body; and

- means (20) for automatically scanning said at least one RFID tag without manual intervention by the operator, including means for periodically communicating an interrogating RF signal to determine whether an RFID tag is in proximity (Figures 1, 3, and 4; column 3, lines 48-60).

Applicants traverse these rejections and the Examiner's characterization of the cited reference. A closer examination of Tuttle reveals differences between the disclosed RFID reader and the reader recited in Claims 1 and 10. Tuttle discloses an RFID system in which "[t]he interrogator ... can transmit RF signals to the central control center using the same transceiver which the interrogator uses to communicate with the [RFID] tags." Column 9, lines 14-16. In contrast, Claims 1 and 10 provide an alternative (i.e., non-RF based) data communication link to external systems or devices, such as a portable data terminal. For example, Claim 1 recites an apparatus comprising "a housing containing an RFID scanner and an antenna" and "a cable extending from the RFID scanner to a portable data terminal located external to the housing." The RFID system disclosed in Tuttle does not provide a portable data terminal located external to the housing that contains both the RFID scanner and the antenna, nor does the disclosed system have a cable that extends from the RFID scanner to the portable data terminal, as recited in Claims 1 and 10.

Claims 2 and 5-9, which depend from Claim 1, are patentable for the reasons stated above with respect to Claim 1, and because of the additional limitations set forth therein. Accordingly, Applicants request that the rejection of Claims 1, 2, and 5-9 be withdrawn. Similarly, Claims 11 and 14-18, which depend from Claim 10, are patentable for the reasons stated above with respect to Claim 10, and because of the additional limitations set forth therein. Accordingly, Applicants request that the rejection of Claims 10, 11, and 14-18 be withdrawn.

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Claims 3, 4, 12, 13, 21, and 22 have been cancelled herein, without prejudice, to reduce the number of pending claims and expedite review of the remaining claims of the present application. Applicants reserve the right to pursue claims of the same or similar scope in one or more continuing applications.

In view of the foregoing, the Applicants respectfully submit that Claims 1, 2, 5-11, and 14-18 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. If it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

To the extent necessary, Applicants petition the Commissioner for a three-month extension of time, extending to July 26, 2005, the period for response to the Office Action dated January 26 2005. A check in the amount of \$1,020.00 is enclosed for the three-month extension of time pursuant to 37 CFR §1.17(a)(3). The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,



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Date: July 25, 2005

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